



May 26, 2020

Dr. Susan Mayne
Director, Center for Food Safety and Applied Nutrition
Food and Drug Administration (FDA)
5001 Campus Drive
College Park, MD 20740

RE: FDA-2020-D-1139; Temporary Policy Regarding Certain Food Labeling Requirements

Dear Dr. Mayne,

On behalf of the 32 million Americans who suffer from life-threatening food allergies, I am writing to share our concerns over, and ask for an immediate revision of, the FDA's recent decision to change the food labeling requirements as stated in its "Temporary Policy Regarding Certain Food Labeling Requirements During the COVID-19 Public Health Emergency: Minor Formulation Changes and Vending Machines," issued on Friday, May 22.

As you may know, the food allergy community has faced numerous challenges during the COVID-19 pandemic as a [recent](#) *The New York Times*' story highlighted the bare shelves and the lack of allergen-free food available to the millions of Americans depending on these products for their livelihoods. We understand that COVID-19 has made it difficult for food manufacturers through unanticipated shortages and supply chain disruptions to ensure that certain products are available to consumers. We also appreciate that FDA addressed allergens within the guidance document by recommending manufacturers avoid making substitutions related to both the eight major food allergens and other foods (such as sesame, celery, lupin, buckwheat, molluscan shellfish, and mustard) that are recognized as priority allergens in other parts of the world. However, it is critical that the food allergy community trust the food labels.

To address these real concerns, we ask the FDA to require food manufacturers to inform consumers of any changes via their website and social media channels. We also ask FDA to require labeling alternatives like stickers (as FDA mentions on page 6 of its guidance), alerts within online shopping sites or signage at retail, to alert consumers to ingredient changes at point of purchase. By disclosing the changes and sharing them broadly, food manufacturers and the FDA will regain the trust of the food allergy community.

In order to help you understand the depth of the concern, FARE's social media channels received hundreds of comments over the holiday weekend from frustrated members of the food allergy community. They are worried that the already challenging food purchasing environment will now be made more difficult by the FDA's decision. Some comments include:

I am devastated and horrified at the same time. My two-year-old has over 30 allergens. How can I possibly keep him safe? It's already hard enough with the vague statements like natural flavors, spices, vegetable juice, etc.!!

Many of us are under enough stress trying to find safe foods for our kids while ordering online and hoping items are in stock. We don't want to have to bring our children to a hospital now if they have a reaction!!

The food allergy community is eager to work with the FDA and food manufacturers to develop policies that work for all involved during COVID-19. I welcome a meeting with you, either virtually or on the phone, for us to further discuss how we can positively move forward. Please contact Steve Danon, Senior Vice President of External Affairs at FARE (Food Allergy Research and Education) at SDanon@FoodAllergy.org or at (858) 774-1290 to arrange.

Thank you for your attention to this important matter.

Sincerely yours,

A handwritten signature in black ink that reads "Lisa Gable". The signature is fluid and cursive, with the first name "Lisa" being larger and more prominent than the last name "Gable".

Lisa Gable
Chief Executive Officer
FARE

Cc: Frank Yiannis
Claudine Kavanaugh
Robin McKinnon